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THE SINO-AMERICAN TREATY OF THE
COMMERCIAL RELATIONS BETWEEN
UNITED STATES AND CHINA

Signed at Shanghai, October 8, 1903.

Ratifications exchanged at Washington, January 15, 1904.

The United States of America and His Majesty the Emperor of China, being animated by an earnest desire to extend further the commercial relations between them and otherwise to promote the interests of the peoples of the two countries, in view of the provisions of the first paragraph of Article XI of the final protocol signed at Peking of the seventh day of September, A.D. 1901, whereby the Chinese Government agreed to negotiate the amendments deemed necessary by the foreign Governments to the treaties of commerce and navigation and other subjects concerning commercial relations, with the object of facilitating them, have for that purpose named as their Plenipotentiaries: ---

The United States of America ---

EDWIN H. CONGER, Envoy Extraordinary and Minister
Plenipotentiary of the United States of America
to China ---

JOHN COULSON, Consul-General of the United States of
America at Shanghai ---

JOHN F. SEAMAN, a Citizen of the United States of America
resident at Shanghai ---

And His Majesty the Emperor of China ---

LU HAI-HUAN, President of the Board of Public Works ---

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SHING HSUAN-HUAI, Junior Guardian of the Heir Apparent.

Formerly Senior Vice-President of the Board of Public
Works ---

who, having met and duly exchanged their full powers which were found to be in proper form, have agreed upon the following amendments to existing treaties of commerce and navigation formerly concluded between the two countries, and upon the subjects hereinafter expressed connected with commercial relations, with the object of facilitating them.

Article 1. ----Diplomatic representatives; rights and privileges. ---In accordance with international usage, and as the diplomatic representative of China has the right to reside in the capital of the United States, and to enjoy there the same prerogatives, privileges and immunities as are enjoyed by the similar representative of the most favored nation, the diplomatic representative of the United States shall have the right to reside at the capital of his Majesty the Emperor of China. He shall be given audience of his Majesty the Emperor whenever necessary to present his letters of credence or any communication from the President of the United States. At all such times he shall be received in a place and in a manner befitting his high position, and on all such occasions the ceremonial observed toward him shall be that observed toward the representatives of nations on a footing of equality, with no loss of prestige on the part of either.

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The diplomatic representatives of the United States shall enjoy all the prerogatives, privileges and immunities accorded by international usage to such representatives, and shall in all respects be entitled to the treatment extended to similar representatives of the most favored nation.

English text authoritative. ---The English text of all notes or dispatches from United States officials to Chinese officials, and the Chinese text of all ^{notes} from Chinese officials to United States officials shall be authoritative.

Article II.---Consular officers, rights and privileges.

---As China may appoint consular officers to reside in the United States and to enjoy there the same attributes, privileges and immunities as are enjoyed by consular officers of other nations, the United States may appoint, as its interests may require, consular officers to reside at the places in the Empire of China that are now or that may hereafter be opened to foreign residence and trade. They shall hold direct official intercourse and correspondence with the local officers of the Chinese Government within their consular districts, either personally or in writing as the case may require, on terms of equality and reciprocal respect. These officers shall be treated with due respect by all Chinese authorities, and they shall enjoy all the attributes, privileges and immunities, and exercise all the jurisdiction over their nationals which are or may hereafter be extended to similar officers of the nation the most favored in these respects. If the officers of either government are

disrespectfully treated or aggrieved in any way by authorities of the other, they shall have the right to make representation of the same to the superior officers of their own government who shall see that full inquiry and strict justice be had in the premises. And the said consular officers of either nation shall carefully avoid all acts of offense to the officers and people of the other nation.

On the arrival of a consul duly accredited at any place in China opened to foreign trade it shall be the duty of the Minister of the United States to inform the Board of Foreign Affairs, which shall, in accordance with international usage, forthwith cause the proper recognition of the said consul and grant him authority to act.

Article III. ---American citizens in China; their rights.
---Citizens of the United States may frequent, reside and carry on trade, industries and manufactures, or pursue any lawful avocation, in all the ports or localities of China which are now open or may hereafter be opened to foreign residence and trade; and, within the suitable localities at those places which have been or may be set apart for the use and occupation of foreigners, they may rent or purchase houses, places of business and other buildings, and rent or lease in perpetuity land and build thereon. They shall generally enjoy as to their persons and property all such rights, privileges and immunities as are or may hereafter be granted to the subjects or citizens of the nation the most favored in these respects.

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Article IV. ---Likin and other transit dues to be totally abolished. ---The Chinese Government, recognizing that the existing system of levying dues on goods in transit, and especially the system of taxation known as likin, impeaks the free circulation of commodities to the general injury of trade, hereby undertakes to abandon the levy of likin and all other transit dues throughout the Empire and to abolish the offices, stations and barriers maintained for their collection and not to establish other offices for levying dues on goods in transit. It is clearly understood that, after the offices, stations and barriers for taxing goods in transit have been abolished, no attempt shall be made to reestablish them in any form or under any pretext whatsoever.

Surtax on tariff rates granted in compensation. ---The Government of the United States, in return, consents to allow a surtax, in excess of the tariff rates for the time being in force, to be imposed on foreign goods imported by citizens of the United States and on Chinese produce destined for export abroad or coast-wise. It is clearly understood that in no case shall the surtax on foreign imports exceed one and one-half times the import duty leviable in terms of the final Protocol signed by China and the Powers on the seventh day of September, A. D. 1901; that the payment of the import duty and surtax shall secure for foreign imports, whether in the hands of Chinese or foreigners, in original packages or otherwise, complete

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immunity from all other taxation, examination or delay; that the total amount of taxation, inclusive of the tariff export duty, leviable on native produce for export abroad shall, under no circumstances, exceed seven and one-half per centum ad valorem.

China's right to levy taxes. ---Nothing in this article is intended to interfere with the inherent right of China to levy such other taxes as are not in conflict with its provisions.

Keeping these fundamental principles in view, the High Contracting Parties have agreed upon the following method of procedure.

Likin barriers to be abolished. Native customs offices to be retained in certain localities.---The Chinese Government undertakes that all offices, stations and barriers of whatsoever kind for collecting likin, duties, or such like dues on goods in transit, shall be permanently abolished on all roads, railways and waterways in the nineteen Provinces of China and the three Eastern Provinces. This provision does not apply to the native Customs offices at present in existence on the seaboard, at open ports where there are offices of the Imperial Maritime Customs and on the land frontiers of China embracing the nineteen Provinces and the three Eastern Provinces.

Wherever there are offices of the Imperial Maritime Customs, or wherever such may be hereafter placed, native Customs offices may also be established, as well as at any point either on the seaboard or land frontiers.

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Surtax on duties on foreign imports.---The Government of the United States agrees that foreign goods on importation, in addition to the effective five per centum import duty as provided for in the Protocol of 1901, shall pay a special surtax of one and one-half times the amount of the said duty to compensate for the abolition of likin, of other transit dues besides likin, and of all other taxation on foreign goods, and in consideration of the other reforms provided for in this article.

Revision of foreign export tariff.---The Chinese Government may recast the foreign export tariff with specific duties, as far as practicable, on a scale not exceeding five per centum ad valorem; but existing export duties shall not be raised until at least six months' notice has been given. In cases where existing export duties are above five per centum, they shall be reduced to not more than that rate.

Surtax on exports; how levied. ---An additional special surtax of one-half the export duty payable for the time being, in lieu of internal taxation of all kinds, may be levied at the place of original shipment or at the time of export on goods exported either to foreign countries or coastwise.

Certificate of origin. ---Foreign goods which bear a similarity to native goods shall be furnished by the Customs officers, if required by the owner, with a protective certificate for each package,, on the payment of import duty and surtax, to prevent the risk of any dispute in the interior.

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Junk-borne goods.---Native goods brought by junks to open ports, if intended for local consumption, irrespective of the nationality of the owner of the goods, shall be reported at the native Customs offices only, to be dealt with according to the fiscal regulations of the Chinese Government.

Machine-made goods in China; treatment of.---Machine-made cotton yarn and cloth manufactured in China, whether by foreigners at the open ports or by Chinese anywhere in China, shall as regards taxation be on a footing of perfect equality. Such goods upon payment of the taxes thereon shall be granted a rebate of the import duty and of two-thirds of the import surtax paid on the cotton used in their manufacture, if it has been imported from abroad, and of all duties paid thereon if it be Chinese grown cotton. They shall also be free of export duty, coast-trade duty and export surtax. The same principle and procedure shall be applied to all other products of foreign type turned out by machinery in China.

Maritime Customs to oversee native customs affairs.---A member or members of the Imperial Maritime Customs foreign staff shall be selected by the Governors-General and Governors of each of the Various provinces of the Empire for their respective provinces, and appointed in consultation with the Inspector General of Imperial Maritime Customs, for duty in connection with native Customs affairs to have a general supervision of their working.

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Complaints; how investigated. Responsibility for enforcement of provisions of treaty.---Cases where illegal action is complained of by citizens of the United States shall be promptly investigated by an officer of the Chinese Government of sufficiently high rank, in conjunction with an officer of the United

States Government, and an officer of the Imperial Maritime Customs, each of sufficient standing; and, in the event of it

being found by the investigating officers that the complaint is well founded and loss has been incurred, due compensation shall be paid through the Imperial Maritime Customs. The high provincial officials shall be held responsible that the officer guilty of the illegal action shall be severely punished and removed from his post. If the complaint is shown to be frivolous or malicious, the complainant shall be held responsible for the expenses of the investigation.

Edict to be published when article becomes operative.

---When the ratifications of this treaty shall have been exchanged by the High Contracting Parties hereto, and the provisions of this Article shall have been accepted by the Powers having treaties with China, then a date shall be agreed upon when the provisions of this article shall take effect and an Imperial Edict shall be published in due form on yellow paper and circulated throughout the Empire of China setting forth the abolition of all likin taxation, duties on goods in transit, offices, stations and barriers for collecting the same, and of all

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Descriptions of internal taxation on foreign goods, and the imposition of the surtax on the import of foreign goods and on the export of native goods, and the other fiscal changes and reforms provided for in this article, all of which shall take effect from the said date. The Edict shall state that the provincial high officials are responsible that any official disregarding the letter or the spirit of its injunction shall be severely punished and removed from his post.

Article V. ---Tariff on American imports. Most favored nation treatment. ---The tariff duties to be paid by citizens of the United States on goods imported into China shall be as set forth in the schedule annexed hereto and made part of this Treaty, subject only to such amendments and changes as are authorized by Article IV of the present convention, or as may hereafter be agreed upon by the High Contracting Parties hereto. It is expressly agreed, however, that citizens of the United States shall at no time pay other or higher duties than those paid by the citizens or subjects of the most favored nation.

Conversely, Chinese subjects shall not pay higher duties on their imports into the United States than those paid by the citizens or subjects of the most favored nation.

Article VI. ---Bonded warehouses. ---The Government of China agrees to the establishment by citizens of the United States of warehouses approved by the proper Chinese authorities as bonded warehouses at the several open ports of China, for

storage, re-packing, or preparation for shipment of lawful goods, subject to such necessary regulations for the protection of the revenue of China, including a reasonable scale of fees according to commodities, distance from the custom house and hours of working, as shall be made from time to time by the proper officers of the Government of China.

ARTICLE VII. ---mining regulations to be revised and operations encouraged. --The Chinese Government, recognizing that it is advantageous for the country to develop its mineral resources, and that it is desirable to attract foreign as well as Chinese Capital to embark in mining enterprises,

agrees, within one year from the signing of this Treaty, to initiate and conclude the revision of the existing mining regulations. To this end China will, with all expedition and earnestness, go into the whole question of mining rules; and, selecting from the rules of the United States and other countries regulations which seem applicable to the condition of China, will recast its present mining rules in such a way as, while promoting the interests of Chinese subjects and not injuring in any way the sovereign rights of China, will offer no impediment to the attraction of foreign capital nor place foreign capitalists at a greater disadvantage than they would be under generally accepted foreign regulations; and will permit citizens of the United States to carry on in Chinese

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territory mining operations and other necessary business relating thereto provided they comply with the new regulations and conditions which will be imposed by China on its subjects and foreigners alike, relating to the opening of mines, the renting of mineral land, and payment of royalty, and provided they apply for permits, the provisions of which in regard to necessary business relating to such operations shall be observed. The residence of citizens of the United States in connection with such mining operations shall be subject to such regulations as shall be agreed upon by and between the United States and China.

Any mining concession granted after the publication of such new rules shall be subject to their provisions.

ARTICLE VIII.--Drawback certificates.--Drawback certificates for the return of duties shall be issued by the Imperial Maritime Customs to citizens of the United States within three weeks of the presentation to the Customs of the papers entitling the applicant to receive such drawback certificates, and they shall be receivable at their face value in payment of duties of all kinds (tonnage dues excepted) at the port of issue; or shall, in the case of drawbacks on foreign goods re-exported within three years from the date of importation, be redeemable by the Imperial Maritime Customs in full in ready money at the port of issue, at the option of the holders thereof. But if, in connection with any application for a drawback certificate, the Customs authori-

ties discover an attempt to defraud the revenue, the applicant shall be dealt with and punished in accordance with the stipulations provided in the Treaty of Tientsin, Article III, in the case of detected frauds on the revenue. In case the goods have been removed from Chinese territory, then the consul shall inflict on the guilty party a suitable fine to be paid to the Chinese Government.

ARTICLE IX.--Protection of trade-marks. --whereas the United States undertakes to protect the citizens of any country in the exclusive use within the United States of any lawful trade-marks, provided that such country agrees by treaty or convention to give like protection to citizens of the United States:--

Therefore the Government of China, in order to secure such protection in the United States for its subjects, now agrees to fully protect any citizen, firm or corporation of the United States in the exclusive use in the Empire of China of any lawful trade-mark to the exclusive use of which in the United States they are entitled, or which they have adopted and used, or intend to adopt and use as soon as registered, for exclusive use within the Empire of China. To this end the Chinese Government agrees to issue by its proper authorities proclamations, having the force of law, forbidding all subjects of China from infringing on, imitating, colorably imitating, or knowingly passing off an imitation of trade-marks belonging to citizens of the

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United States, which shall have been registered by the proper authorities of the United States at such offices as the Chinese Government will establish for such purpose, on payment of a reasonable fee, after due investigation by the Chinese authorities, and in compliance with reasonable regulations.

ARTICLE XI.---Protection of patents.---The United States Government allows subjects of China to patent their inventions in the United States and protects them in the use and ownership of such patents. The Government of China now agrees that it will establish a Patent Office. After this Office has been established and special laws with regard to inventions have been adopted it will thereupon, after the payment of the prescribed fees, issue certificates of protection, valid for a fixed term of years, to citizens of the United States on all their patents issued by the United States, in respect of articles the sale of which is lawful in China, which do not infringe on previous inventions of Chinese subjects, in the same manner as patents are to be issued to subjects of China.

ARTICLE XII.---Protection of copyright.---whereas the Government of the United States undertakes to give the benefits of its copyright laws to the citizens of any foreign State which gives to the citizens of the United States the benefits of copyright on an equal basis with its own citizens: -----

Therefore the Government of China, in order to secure such

benefits in the United States for its subjects, now agrees to give full protection, in the same way and manner and subject to the same conditions upon which it agrees to protect trademarks, to all citizens of the United States who are authors, designers or proprietors of any book, map, print or engraving especially prepared for the use and education of the Chinese people, or translation into Chinese of any book, in the exclusive right to print and sell such book, map, print, engraving or translation in the Empire of China during ten years from the date of registration. With the exception of the books, maps, etc., specified above, which may not be reprinted in the same form, no work shall be entitled to copyright privileges under this article. It is understood that Chinese subjects shall be at liberty to make, print and sell original translations into Chinese of any works written or of maps compiled by a citizen of the United States. This article shall not be held to protect against due process of law any citizen of the United States or Chinese subject who may be author, proprietor or seller of any publication calculated to injure the well-being of China.

ARTICLE XII.---Navigation of inland waters.---The Chinese Government having in 1893 opened the navigable inland waters of the Empire to commerce by all steam vessels, native or foreign, that may be specially registered for the purpose, for the conveyance of passengers and lawful merchandise,---citizens, firms and corporations of the United States may engage in such

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Commerce on equal terms with those granted to subjects of any foreign power.

In case either party hereto considers it advantageous at any time that the rules and regulations then in existence for such commerce be altered or amended, the Chinese Government agrees to consider amicably and to adopt such modifications thereof as are found necessary for trade and for the benefit of China.

Mukden and Antung opened to foreign trade. ---The Chinese Government agrees that, upon the exchange of the ratifications of this Treaty, Mukden and Antung, both in the province of Sheng-king, will be opened by China itself as places of international residence and trade. The selection of suitable localities to be set apart for international use and occupation and the regulations for these places set apart for foreign residence and trade shall be agreed upon by the Governments of the United States and China after consultation together.

ARTICLE VIII. ---Uniform national coinage. ---China agrees to take the necessary steps to provide for a uniform national coinage which shall be legal tender in payment of all duties, taxes and other obligations throughout the Empire by the Citizens of the United States as well as Chinese subjects. It is understood, however, that all Customs duties shall continue to be calculated and paid on the basis of the Haikuan Tael.

ARTICLE XIV. ---Christianity, its teachers and followers not to be discriminated against. Rights and duties of missionaries. ---The principles of the Christian religion, as professed by the Protestant and Roman Catholic Churches, are recognized as teaching men to do good and to do to others as they would have others do to them. Those who quietly profess and teach these doctrines shall not be harassed or persecuted on account of their faith. Any person, whether citizen of the United States or Chinese convert, who, according to these tenets, peaceably teaches and practices the principles of Christianity shall in no case be interfered with or molested therefor. No restrictions shall be placed on Chinese joining Christian churches. Converts and non-converts, being Chinese subjects, shall alike conform to the laws of China; and shall pay due respect to those in authority, living together in peace and unity; and the fact of being converts shall not protect them from the consequences of any offence they may have committed before or may commit after their admission into the church, or exempt them from paying legal taxes levied on Chinese subjects generally, except taxes levied and contributions for the support of religious customs and practices contrary to their faith. Missionaries shall not interfere with exercise by the native authorities of their jurisdiction over Chinese subjects; nor shall the native authorities make any distinction between converts and non-converts, but shall administer the

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laws without partiality so that both classes can live together in peace.

Property; land purchased by missionary societies. ---
Missionary societies of the United States shall be permitted to rent and to lease in perpetuity, as the property of such societies, buildings or lands in all parts of the Empire for missionary purposes and after the title deeds have been found in order and duly stamped by the local authorities, to erect such suitable buildings as may be required for carrying on their good work.

ARTICLE XV. ---Reform of judicial system. Extra-territoriality to terminate. ---The Government of China having expressed a strong desire to reform its judicial system and to bring it into accord with that of western nations, the United States agrees to give every assistance to such reform and will also be prepared to relinquish extra-territorial rights when satisfied that the state of the Chinese laws, the arrangements for their administration, and other considerations warrant it in so doing.

ARTICLE XVI. ---Prohibition of importation of morphia. ---The Government of the United States consents to the prohibition by the Government of China of the importation into China of morphia and of instruments for its injection, excepting morphia and instruments for its injection imported for medical purposes, on payment of tariff duty, and under regulations to be framed by China which shall effectually restrict the

use of such import to the said purposes.. This prohibition shall be uniformly applied to such importation from all countries. The Chinese Government undertakes to adopt at once measures to prevent the manufacture in China of morphia and of instruments for its injection.

ARTICLE XVII. --Treaties to remain in force except as here modified. --It is agreed between the High Contracting Parties hereto that all the provisions of the several treaties between the United States and China which were in force on the first day of January A.D. 1900, are continued in full force and effect except in so far as they are modified by the present Treaty or other treaties to which the United States is a party.

The present Treaty shall remain in force for a period of ten years beginning with the date of the exchange of ratifications and until a revision is effected as hereinafter provided.

Revision. --It is further agreed that either of the high Contracting Parties may demand that the tariff and the articles of this convention be revised at the end of ten years from the date of the exchange of the ratifications thereof. If no revision is demanded before the end of the first term of ten years then these articles in their present form shall remain in full force for a further term of ten years reckoned from the end of the first term, and so on for successive periods of ten years.

English text authoritative. --The English and Chinese

texts of the present Treaty and its three annexes have been carefully compared; but, in the event of there being any difference of meaning between them, the sense as expressed in the English text shall be held to be the correct one.

This Treaty and its three annexes shall be ratified by the two High Contracting Parties in conformity with their respective constitutions, and the ratifications shall be exchanged in Washington not later than twelve months from the present date.

In testimony hereof, we, the undersigned, by virtue of our respective powers, have signed this Treaty in duplicate in the English and Chinese languages, have affixed our respective seals.

Done at Shanghai, this eighth day of October in the year of our Lord one thousand nine hundred and three, and in the twenty ninth year of Kuang Hsu eighth month and eighteenth day.

EDWIN H. CONGER (SEAL)

JOHN GOODNOW (SEAL)

JOHN F. SEARIN (SEAL)

Signatures and seal of Chinese Plenipotentiaries.

(LU HSI-HUAN)

(SHENG HSUAN-HUAI)

ANNEX 1.

As citizens of the United States are already forbidden by treaty to deal in or handle opium, no mention has been made in this Treaty of opium taxation.

As the trade in salt is a government monopoly in China, no mention has been made in this Treaty of salt taxation.

It is, however, understood, after full discussion and consideration, that the collection of inland dues on opium and salt and the means for the protection of the revenue therefrom and for preventing illicit traffic therein are left to be administered by the Chinese Government in such manner as shall in no wise interfere with the provisions of Article IV of this treaty regarding the unobstructed transit of other goods.

EDWIN H. CONGER (SEAL)

JOHN GOODNOW (SEAL)

JOHN F. SEAMAN (SEAL)

Signature and seal of Chinese Plenipotentiaries.

(LU HAI-HUAN)

(SHENG HSUAN-HUAI)

ANNEX II.

Article IV of the Treaty of Commerce between the United States and China of this date provides for the retention of the native Customs offices at the open ports. For the purpose of safeguarding the revenue of China at such places, it is

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Understood that the Chinese Government be entitled to establish and maintain such branch native Customs offices at each open port, within a reasonable distance of the main native Customs offices at the port as shall be deemed by the authorities of the Imperial Maritime Customs at that port necessary to collect the revenue from the trade into and out of such port. Such branches, as well as the main native Customs offices at each open port, shall be administered by the Imperial Maritime Customs as provided by the Protocol of 1901.

EDWIN H. CONGER (SEAL)

JOHN GOODNOW (SEAL)

JOHN F. SEAMAN (SEAL)

Signatures and seal of Chinese Plenipotentiaries.

(LU HAI-HUAN)

(SHENG HSUAN-HUAI)

ANNEX III.

The schedule of tariff duties on imported goods annexed to this Treaty under Article V is hereby mutually declared to be the schedule agreed upon between the representatives of China and the United States and signed by John Goodnow for the United States and Their Excellencies LU Hai-huan and Sheng Hsuan-Huai for China at Shanghai on the sixth day of September A. D. 1902, according to the Protocol of the seventh day of September A.D. 1901.

EDWIN H. CONGER (SEAL)

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JOHN GOODNOW (SEAL)

JOHN F. SLATTAN (SEAL)

Signature and seal of Chinese Plenipotentiaries.

(LU HAI-HUAN)

(SHENG HSUAN-HUAI)

not used

亞米利加合衆國及 支那國間通商關係擴張ニ關スル條約

千九百三年十月八日上海ニ於テ調印
千九百四年一月十三日華盛頓ニ於テ批准交換

亞米利加合衆國及支那國皇帝陛下ハ兩國間ノ通商關係ヲ更ニ擴張シ且又
支那國ノ政府ガ通商航海條約ニ對スル諸外國政府ノ必要ナリト思惟セル
修正ニ付キ及通商關係進歩ノ目的ヲ以テ其ノ他ノ通商關係諸事項ニ付商
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定書第十一條第一項ノ規定ニ應ミ兩國民ノ利益ヲ增進セシメムトスル要
望ニ徹セラレ之ガ爲メ左ノ全權委員ヲ任命セリ

亞米利加合衆國

北京駐節亞米利加合衆國特命全權公使 エドウィン、エイチ、コンデヤ

上海駐在亞米利加合衆國總領事 ジオン、グードノー

上海在住亞米利加合衆國人民 ジオン、エフ、シューマン

支那國皇帝陛下

工部尚書

呂 海 寰

太子少保前工部佐侍郎

盛 宣 懷

石全權委員ハ其ノ全權委任狀ノ良好妥當ナルヲ認メタル後兩國間既存ノ通商航海條約ノ修正ニ付及通商關係進捗ノ目的ヲ以テ下記ノ通商關係諸事項ニ付左ノ如ク協定セリ

第一條 外交代表者 其ノ權利及特權

國際慣行ニ從ヒ且支那國外交代表者ハ合衆國首都ニ駐劄シテ最惠國ノ同種ノ代表者ノ享有スルト同一ノ特權及免除ヲ享有スルノ權利ヲ有スルカ故ニ合衆國代表者ハ支那國皇帝陛下ノ首都ニ駐劄スルノ權利ヲ有ス右合衆國外交代表者ハ必要ナル一切ノ場合ニ於テ皇帝陛下ノ謁見ヲ賜ヒテ信任狀又ハ合衆國大統領ヨリノ一切ノ通告ヲ捧呈スルコトヲ得ヘク右一切ノ場合ニ於テ其ノ高地位ニ相當スル場所及方法ヲ以テ接近セラレ且其ノ儀式ハ雙方ノ威信ヲ何等毀損スルコトナク對等ノ地歩ニ於テ諸國代表者ニ對シ行ハルルトコロノモノトス

合衆國代表者ハ國際慣行ニ從ヒ外交代表者ニ許與セラルル一切ノ特權及免除ヲ享有シ且一切ノ點ニ付最惠國ノ同種ノ代表者ニ與ヘラルルト同一ノ待遇ヲ受ケルモノトス

公文用語

合衆國官憲發支那國官憲宛ノ一切ノ公文及通信文ハ英吉利語ヲ以テ又支那國官憲發合衆國官憲宛ノモノハ支那語ヲ以テ正文トス

第二條 領事館 其ノ權利及特權

支那國ハ合衆國ニ駐在シテ他國ノ領事官ノ享有スルト同一ノ權利、特權及免除ヲ享有スル領事官ヲ任命スルコトヲ得ルカ故ニ合衆國ハ其ノ利害關係上必要ナル場合ニハ外國人ノ居住及外國貿易ニ現ニ開カレ又ハ將來開カルベキ支那帝國内ノ地點ニ駐在スル領事官ヲ任命スルコトヲ得右合衆國領事ハ必要ノ場合ニハ其ノ管轄區域内ノ支那國政府ノ地方官憲ト面接シテ又ハ書面ヲ以テ對等及相互尊重ノ條件ノ下ニ直接公ノ交渉又ハ通信ヲ爲スコトヲ得ヘク支那國一切ノ官憲ヨリ相當ノ尊敬ヲ以テ待遇セラレ且最惠國同種ノ官憲ニ對シ現ニ與ヘラレ又ハ將來與ヘラルベキ一切ノ權利、特權及免除ヲ享有シ及自國民ニ對シ一切ノ裁判權ヲ行使スルコトヲ得ルモノトス孰レカ一方國政府ノ官憲カ他方國政府ノ官憲ヨリ何等カノ方法ヲ以テ不遜ノ待遇又ハ虐待ヲ蒙リタル場合ニハ該官吏ハ其ノ旨ヲ

自國政府ノ上級官憲ニ申告スルノ權利ヲ有スヘク該上級官憲ハ右ニ付キ充分ナル調査ト嚴正ナル批判トヲ爲スモノトス上記ノ兩國領事ハ相互ニ相手國ノ官憲及人民ニ對シ一切ノ凌辱的行爲ヲ行フコトヲ避クモノトス支那國ニ於テ外國貿易ニ開カレタル何レカノ地點ニ正式ニ信任派遣セラレタル領事ノ到着シタル場合ニハ合衆國公使ハ其ノ旨外交部ニ通告スヘキ義務ヲ負フベキ之ニ因リ國際慣行上該領事ハ直ニ正式ニ承認セラレ且其ノ職務執行上ノ權利ヲ容認セラルルモノトス

第三條 支那ニ於ケル合衆國人民 其ノ權利

合衆國人民ハ外國人ノ居住又ハ外國貿易ニ現ニ開カレ又ハ將來開カルヘキ支那國一切ノ港又ハ諸地方ニ往來シ居住シ及商工業及製造業ヲ營ミ又ハ其ノ他一切ノ道法ナル職業ニ從事スルコトヲ得ヘク且右諸地點ニ於テ外國人ノ使用及雇用ノ爲ニ既ニ特設セラレ又ハ特設セラルベキ適當ナル地域内ニ於テ家屋、事務所及其他ノ建物ノ賃借又ハ購買及土地ノ賃借又ハ永代借地ヲ爲スコトヲ得ベク其ノ身體財産ニ關シテハ最惠國臣民又ハ人民ニ現ニ許與セラレ又ハ將來許與セラルベキ一切ノ權利、特權及免除

ラ一般ニ享有スルモノトス

第四條 釐金税及其ノ他ノ通過税ノ全廢

支那國政府ハ通過貨物ニ對シ課税スルノ現行制度殊ニ釐金トシテ知ラレタ
ル課税制度ガ貨物ノ自由配布ヲ妨ゲテ取引ノ一般的障礙ヲ招致スルニ至ル
コトヲ認メ釐金及其ノ他一切ノ通過税ヲ帝國全部ニ亘リテ廢止シ且右徵税
ノ爲設置セラレタル事務所、税關及補助税關ヲ廢シ且通過貨物ニ對シ課税
スベキ其ノ他ノ事務所ヲ建設セサルコトヲ茲ニ約ス通過貨物ニ課税スル事
務所、税關及補助税關ノ廢止ハ其ノ形式及口實ノ如何ヲ問ハス右事務所
税關及補助税關ノ再設ヲ企テサルモノトス

補償トシテ許與セラレタル關稅率附加税

合衆國政府ハ右ノ補償トシテ現行暫定關稅率以外ニ附加税ヲ合衆國人民輸
入ノ外國貨物ニ對シ及海外向又ハ沿岸向輸出支那貨物ニ對シテ賦課シ得ル
コトニ同意ス如何ナル場合ニ於テモ外國輸入品ニ對スル附加税ハ西曆千九
百一年九月七日支那國及列國間調印ノ最終議定書所定ノ條件ニ從ヒ徵收セ
ラルベキ輸入税ノ一倍半ヲ超過スルコトヲ得サルベク輸入税及附加税ノ支

拂ハ支那人若ハ外國人ノ手元ニ所持スルト又原包裝ノ儘ナルト否トヲ問ハ
ス外國輸入貨物ニ對シ其ノ他ノ一切ノ課税、税關若ハ延滞ヨリ全ク免除セ
ラルルモノナルコトヲ確保シ海外輸出ノ内國生産品ニ對シ賦課セラルル輸
出税ヲ含ミ税ノ總額ハ如何ナル場合ニテモ從價七分五厘ヲ超過スルコトヲ
得サルモノトス

支那國ノ課税權

本條ハ本條ノ規定ト牴觸セサル他ノ税ヲ賦課スル支那國固有權ニ何等干與
スルトコロナキモノトス

右諸原則ヲ考慮シテ締約國ハ左ノ手續ヲ協定セリ

釐金制度ノ廢止 若干地方ニ於ケル内國税關ノ存置

支那國政府ハ釐金其ノ他通過貨物ニ課セラルル税ヲ徵收スル一切ノ事務所
税關及補助税關ハ其ノ種類ノ如何ヲ問ハズ支那國十九省及東邊三省内ノ一
切ノ道路、鐵道及水路ニ於テ之ヲ永久ニ廢止スル本規定ハ帝國海關所在ノ
開港場ノ海岸ニ且十九省及東邊三省ヲ包含スル支那國陸上國境ニ現存スル
内國税關ニハ之ヲ適用セス

又内國税關ハ帝國海關ノ現存シ又ハ將來設置セララルベキ一切ノ場所ニ於テ
並ニ海岸又ハ陸上國境ノ如何ナル地點ニ於テモ之ヲ設置スルコトヲ得

外國輸入品ニ對スル課税ノ附加税

合衆國政府ハ外國貨物ハ其ノ輸入ニ際シ千九百一一年議定書所定ノ現實五分
ノ輸入税ニ加フルニ暨三、釐並以外ノ通過税及外國貨物ニ對スル其他一切
ノ課税ノ廢止ニ對スル補償トシテ且本條所定ノ其ノ他ノ改正事項ヲ考慮シ
前記輸入税額ノ一部半ノ特別附加税ヲ支拂フベキコトニ同意ス

外國輸出關税率ノ改正

支那國政府ハ其ノ實施シ得ル限り外國輸出關税ノ從量税ヲ從價五分ヲ超過
セル限度ノ從價税ニ改ムルコトヲ得ルモ現行輸出税ハ少クトモ六月ノ豫告
ノ與ヘラルル迄ハ之ヲ引上ゲサルモノトス現行輸出税ガ五分以上ノ場合ニ
ハ税率ノ引下ハ五分迄トス

輸出品ニ對スル附加税 其ノ徵收方法

一切ノ種類ノ内國税ノ代リニ支拂ハルヘキ暫行輸出税出税二分ノ一ノ特別
加税ハ外國向又ハ海岸地方向輸出貨物ニ對シ其ノ最初ノ船積地ニ於テ又ハ

輸出ノ時ニ於テ之ヲ課スルモノトス

原產地證明書

税關官吏ハ内國產貨物ト類似スル外國貨物ニ對シ所有省ノ請求アル場合ニハ輸入税及附加税支拂ノ上内地ニ於テ生スルコトアルヘキ爭議ノ危險ヲ豫防スル爲各包裝ニ付保護證明書ヲ交付スルモノトス

戒克船積貨物

戒克船ニ依リテ開港場ニ運搬セラレタル内國產貨物ハ地方消費ニ供セララルモノナル場合ニハ該貨物所有者ノ國籍ノ如何ニ拘ラス支那國政府ノ財政規則ニ依リ處理セラルル爲之ヲ内國税關ニ報告スルモノトス

支那國內ノ機械製造品 其ノ待遇

支那國內ニ於テ製造セラレタル機械製造品及織布ハ其ノ製造省カ開港場ニ於ケル外國人タルト又ハ支那國內ノ何レカノ地ニ在住スル支那人タルトラ問ハス課税ニ關シテハ完全ニ均等ナル地步ニ置カルルモノトス右貨物ハ其ノ賦課セラレタル税ヲ支拂ヒタル上ハ其ノ製造原料タル綿カ外國ヨリ輸入セラレタモノナル場合ニハ該綿ニ付支拂ハレタル輸入税及輸入附加税ノ三

分ノ二ヲ又支那國產綿ナル場合ニハ該綿ニ付支拂ハレタル一切ノ税ヲ割戻サルベク輸出税、沿岸貿易税及輸出附加税モ亦之ヲ免除セラルベシ右ト同様ナル原則及手續ハ支那國ニ於テ機械ニ依リ製造セラレタル其ノ他一切ノ外國式生産品ニ適用セラルモノトス

内國關稅事務ヲ管理スル海關

帝國海關外人幹部ノ一名又ハ數名ノ部員ハ支那帝國各諸省ノ督撫及知縣カ各自管轄ノ省ノ爲ニ之ヲ選出シ帝國海關總稅務司ト協議ノ上内國關稅事務ニ關スル事務取扱ノ一般の監督ヲ爲サシメルノ任務ニ就カシムベキモノトス

告訴 其ノ審査方法 條約規定強行ニ對スル責任

合衆國人民ガ不法行爲ニ關シテ告訴シタル場合ニハ右事件ハ支那國政府ノ一名ノ相當高級官吏カ合衆國政府及帝國海關各一名ノ相當官吏ト共ニ連ニ之ヲ審査シ且右審査官ガ當該告訴ノ理由並ニ損害ノ發生ヲ認メタル場合ニハ帝國海關ハ相當ノ賠償ヲ爲スモノトス上級地方官憲ハ該不法行爲ニ付テ責任アル官吏ヲ嚴罰ニ處シ且之ヲ罷免スベキコトニ付責ヲ負フモノトス告

訴カ理由無キモノカ又ハ惡意ニ出デタルモノナルコト分明シタル場合ニハ
告訴人ハ審査費用ヲ負擔スベキモノトス

本條實施ノ場合公布セラルベキ勅令

締約國ガ本條約批准交換ヲ行ヒ且本條ノ規定ガ支那國ノ條約國ニ依リ承認
セラレタルトキニ本條ノ規定ガ實施セラルベキ日ヲ協定シ及一切ノ釐金稅
通貨貨物ニ對スル課稅、右諸稅ヲ徵收スル事務所、稅關及補助稅關、外國
貨物ニ對スル國內課稅ノ一切ノ種別、外國貨物輸入及內國產貨物輸出ニ對
スル附加稅ノ廢止並本條所定ノ其ノ他ノ財政的變更及改正ヲ掲載セル勅令
ヲ適當ナル形式ヲ以テ官報ニ發表シ之ヲ支那帝國全土ニ播布スベキモノニ
シテ右一切ノ事項ハ前記ノ日ヨリ實施セラルベキモノトス
該勅令ニハ地方高級官吏ハ勅令ノ法文又ハ精神ヲ無視スル官吏ハ何人ト雖
モ之ヲ嚴罰ニ處シ且罷免スベキ責ヲ負フベキ旨ヲ記載スベシ

第五條 合衆國ヨリノ輸入品ニ對スル關稅率 最惠國待遇

支那國ニ輸入セラレタル貨物ニ對シ合衆國人民ノ支拂フベキ關稅ハ本條
約ニ附屬シテ本條約ノ一部ヲ成セル稅率表ニ掲載セラレタルモノニシテ

本條約第四條ノ許容スルカ又將來締約國ノ協定スル改正及變更ノミヲ受クルモノトス

尤モ合衆國人民ハ如何ナル時ニ於テモ最惠國人民又ハ臣民ノ支拂フモノ以外又ハ其レヨリ多額ノ稅ヲ支拂ハサルモノトス右ニ對シ支那國臣民ハ如何ナル時ニ於テモ最惠國人民又ハ臣民ノ支拂フモノヨリ多額ノ稅ヲ其ノ合衆國ヘノ輸入品ニ對シ支拂ハサルモノトス

第六條 保稅倉庫

支那國政府ハ保稅倉庫トシテ支那國相當官憲ノ承認シタル倉庫ヲ合衆國人民ガ正當ナル貨物ノ庫入、再包裝又ハ船積準備ノ爲若干ノ支那國開港場ニ設置スルコトニ同意ス但シ支那國政府ノ相當官憲ガ支那國輸入保護ノ爲屢次制定スル必要ナル取締規則（商品、稅關ヨリノ距離及取扱時間ニ準シ徵收セラルル相當料金表ヲ含ム）ニ從フベキモノトス

第七條 採鑛規則ノ改正及採鑛事業ノ獎勵

支那國政府ハ其ノ鑛物資源ヲ開發スルハ國ノ爲利益ナルコト及採鑛企業ノ投資ニ外國並支那國資本ヲ誘引スルハ望マシキコトナルヲ認メ本條約

調印以後一年內ニ現行採鑛規則ノ改正ヲ發議シテ右改正ヲ約定スルコト
 ニ同意ス右ノ目的ノ爲支那國ハ出來得ル限り迅速ニ且熱心ニ採鑛規則間
 題全般ニ亘リテ審議シ及合衆國並其ノ他ノ諸國ノ規則中ヨリ支那國ニ適
 用セラルヘキモノト思惟セラルル規則ヲ採擇シ以テ支那國臣民ノ利益ヲ
 促進シ且何等支那國ノ主權ヲ侵害セサル一方ニ於テ外國資本ノ誘引ニ付
 決シテ障礙ヲ與ヘス又外國資本家ニ對シ該資本家カ一般的ニ承認セラレ
 タル外國規則ノ適用ヲ受クヘキ場合ヨリモ一層大ナル不利益ヲ蒙ラシメ
 ス且合衆國人民カ改正新規則及支那國カ自國臣民且外國人ニ對シ鑛山ノ
 採掘鑛域ノ賃借並鑛山使用料ノ支拂ニ關シテ課スル條件並右外國資本家カ
 特許ノ出願ヲ爲ス場合採鑛事業ニ關シテ必要ナル事務ニ付遵守スヘキ特
 許規定ニ從フコトヲ條件トシテ支那國領土ニ於テ採鑛事業及其ノ他該事
 業關係ノ必要事務ヲ行フコトヲ得ル様現行採鑛規則ヲ改正スルモノトス
 右ノ採鑛事業ニ關係スル合衆國人民ノ居住ハ合衆國及支那國間ニ約定セ
 ラルル規則ニ從フモノトス
 右ノ新規則公布後許與セラルル一切ノ採鑛利權ハ該新規則ノ規定ニ從フ

モノトス

第八條 税金拂戻證書

税金拂戻ニ對スル拂戻證書ハ該證書下附申請許可證ヲ帝國海關ニ提出後三週間内ニ該海關ヨリ合衆國人民ニ對シ之ヲ發給ス且右證書ハ額面價格ヲ以テ發給港ニ於ケル一切ノ種類ノ税（噸稅ヲ除ク）ノ支拂ノ用ニ供セラルヘク又ハ輸入ノ日ヨリ三年内ニ再輸出セラレタル外國貨物ニ對スル税金拂戻ノ場合ニハ該證書所持人ノ任意ニ依リ帝國海關ハ發給港ニ於テ其ノ額面價格ヲ現金ヲ以テ償還スルモノトス但シ拂戻證書申請ニ關シ海關官憲ガ歳入詐取ノ企業ヲ發見スル場合ニハ申請書ハ天津條約第二十一條所定ノ歳入詐取ノ發覺ノ場合ニ關スル規定ニ從ヒテ之ヲ處罰スルモノトス貨物ガ支那國領土ヨリ搬去セラレタル場合ニハ領事ハ支那國政府ニ支拂フヘキ相當罰金ヲ犯罪當事者ニ對シ課スルモノトス

第九條 商標ノ保護

合衆國政府ハ何レノ國ト雖モ正當ナル商標ノ專用ニ付條約ニ依リ合衆國人民ヲ保護スルコトニ同意スル場合ニハ合衆國內ニ於テ該國ノ人民ニ對

シ同様ノ保護ヲ與フコトヲ約スルカ故ニ
 茲ニ支那國政府ハ其ノ臣民ニ對スル合衆國內ニ於ケル右ノ保護ヲ確保ス
 ル爲一切ノ正當ナル商標ニシテ合衆國ノ人民、商館若ハ會社カ合衆國內
 ニ於テ其ノ專用ノ權利ヲ有スルカ又ハ支那帝國國內ニ於ケル專用ノ爲採用
 シ且使用シタルカ若ハ登録後直ニ採用且使用セムトシタルモノノ支那帝國
 內ニ於ケル專用ニ付合衆國ノ一切ノ人民、商館若ハ會社ヲ充分保護スル
 コトニ同意ス右ノ目的ノ爲支那國政府ハ合衆國人民ノ商標ニシテ合衆國
 相當官憲カ支那國政府ノ設置スヘキ登録事務所ニ於テ支那國官憲ノ相當
 審査ノ後相當料金ヲ支拂ヒ且相當取締規則ニ從ヒテ登録シタルモノノ支
 那國一切ノ臣民ニ依ル侵害、模造、色彩ノ模倣又ハ模造詐欺ヲ禁止スル
 法律的效力ヲ有スル布令ヲ其ノ相當官憲ヲシテ發布セシムルコトニ同意
 ス

第十條 專賣特許ノ保護

合衆國政府ハ支那國臣民カ合衆國ニ於テ其ノ發明ノ專賣特許登録ヲ爲ス
 コトヲ許與シ且右專賣特許ノ使用及所有ニ付支那國臣民ヲ保護ス茲ニ支

那國政府ハ自國ニ特許局ヲ設置スルコトニ同意ス右特許局ガ設置セラレ且發明ニ關スル特別法カ採用セラレタル後ハ特許局ハ支那國ニ於テ適法ニ販賣セラレ且支那國臣民ノ先ニ爲シタル發明ヲ侵害セサル商品ニ付合衆國カ合衆國人民ニ發給シタル一切ノ專賣特許證ニ對シ一定ノ年限有效ナル保護證明書ヲ支那國臣民ニ發給セラルル特許證ト同様ノ様式ヲ以テ規定料金徴收ノ上發給スルモノトス

第十一條 著作權保護

合衆國政府ハ内國人民ト均等ノ地步ニ於テ著作權ニ關スル利益ヲ合衆國人民ニ與フル一切ノ他國ノ人民ニ對シ自國ノ著作權法ノ利益ヲ與フルコトヲ約スルカ故ニ

茲ニ支那國政府ハ自國臣民ニ對シ合衆國ニ於ケル右ノ保護ヲ確保スル爲支那國人民ノ使用及教育用トシテ特ニ作成セラレタル書籍、地圖、印刷物若ハ印畫又ハ一切ノ書籍ヲ支那語ニ翻譯シタル物ノ著者、圖案家若シハ所有者タル一切ノ合衆國人民ニ對シテ同様ノ方法及様式ノ下ニ及支那國政府カ商標保護ニ同意スルニ付基キタル所ト同様ノ條件ニ從ヒ登録ノ日ヨリ十

年間支那帝國内ニ於テ右ノ書籍、地圖、印刷物若ハ印畫又ハ翻譯物ヲ印刷シ及販賣スルノ獨占權ニ付充分ナル保護ヲ與フルコトニ同意ス前記ノ書籍地圖等ニシテ同一ノ形式ヲ以テ再版スルヲ得サルモノハ之ヲ除キ如何ナル著作物ト雖本條ノ下ニ於テハ著作權ノ特權ヲ與ヘラレサルモノトス支那國臣民ハ合衆國人民ノ書キタル書籍又ハ其ノ編輯シタル地圖ノ支那語譯ノ原文ヲ作成、印刷及販賣スルノ自由ヲ有スルモノトス本條ハ支那國ノ安寧ヲ阻害スヘキ一切ノ出版物ノ著者、所有者又ハ販賣者タル合衆國人民又ハ支那國臣民ヲ正當ナル法律上ノ訴訟ニ對シ保護セサルモノトス

第十二條 内地水路ノ航行

支那國政府ハ千八百九十八年帝國ノ内地航行可能水路ヲ旅客及正當貨物ノ運輸ノ目的ノ爲特ニ登録セアルヘキ内國又ハ外國ノ一切ノ汽船ニ依ル通商ニ開キタルトコロ合衆國人民、商館及會社ハ一切ノ外國ノ臣民ニ對シテ許與セラレタルモノト均等ノ條件ニ於テ右ノ通商ニ從事スルコトヲ得何レカ一方ノ締約國カ如何ナル時ニ於テモ右通商ニ關スル當時現行ノ法規ヲ變更シ又ハ修正スルコトヲ有利ナリト思惟スル場合ニハ支那國政府ハ支

那ノ通商及利益ノ爲必要ナリト思惟セラルル右改正ヲ友好ノ精神ヲ以テ
考慮シ且採用スルコトニ同意ス

外國貿易ニ對スル奉天及安東縣ノ開市

支那國政府ハ本條約批准交換後盛京省内ノ奉天及安東縣ヲ國際的居住及貿易ノ場所トシテ開放スルコトニ同意ス國際的使用及專用ノ爲ニ特設セラルヘキ適當ナル地域ノ選定及外國人ノ居住並通商ノ爲特設セラレタル右地域ニ關スル諸規則ハ合衆國及支那國政府協議シテ之ヲ定ムルモノトス

第十三條 內國貨幣制度ノ統一

支那國ハ帝國全土ニ於テ合衆國人民並支那國臣民カ一切ノ税金及其ノ他ノ債務支拂ニ付法定貨幣タルヘキ統一セラレタル內國貨幣制度ヲ設クル爲ニ必要ナル措置ヲ執ルコトニ同意ス尤モ一切ノ關稅ハ從來通り海關兩ニ基キテ計算セラレ且支拂ハルルモノトス

第十四條 基督教 其ノ牧師並信徒ノ無差別待遇宣教師ノ權利義務

新教及羅馬教兩教會ノ說ク基督教ノ教理ハ人ニ善ヲ爲シ且他人ヲシテ我ニ爲サシメムト欲スルトコロヲ他人ニ爲スコトヲ教ヘルモノト之ヲ認ム右ノ

教ユルモノト之ヲ認ム右ノ教理ヲ靜穩ニ説教スル者ハ其ノ信仰ノ故
 ヲ以テ困惑又ハ迫害セラレサルモノトス右ノ教義ニ從ヒ基督教ノ教理ヲ
 平穩ニ教ヘ且行フ者ハ合衆國人民タルト支那人ノ改宗者タルト同ハス
 如何ナル場合ニ於テモ之カ爲妨害セラレ又ハ禁迫セラレサルモノトス基
 督教會ニ加入セル支那人ニ對シテハ何等ノ制限ヲ課セサルモノトス支那
 國臣民タル者ハ改宗者及非改宗者一樣ニ支那國法律ニ從ヒ及其ノ共ニ平
 穩且親善ノ裡ニ生活スル監督者ニ對シ相當ノ尊敬ヲ拂ヒ反改宗者タルノ
 事實ハ該改宗者ヲシテ其ノ教會加入前犯シタルカ若ハ加入後犯スヘキ一
 切ノ加害行爲ノ結果ヨリ免レシムル機保護シ又ハ其ノ信仰ト異ル宗教的
 慣習及行事ノ維持ノ爲課セラルル税及寄附金ハ之ヲ除キ一般的ニ支那國
 臣民ニ對シテ課セラルル法定ノ税ノ支拂ヲ免除セシムルモノニ非ス宣教
 師ハ支那國臣民ニ對スル内國官憲ノ管轄權行使ニ干涉セサルヘク又内國
 官憲ハ改宗者及非改宗者間ニ何等ノ差別ヲ設ケスシテ兩者カ協同ニ平和
 ナル生活ヲ營ミ得ル様公平ニ法律ヲ執行スヘキモノトス

財産 傳道會社ノ購入シタル土地

合衆國傳道會社ハ該會社ノ財産トシテ傳道的目的ノ爲帝國內ノ一切ノ地方ニ於テ建物又ハ土地ノ賃借及永久借地ヲ爲シ且權原證書カ地方官憲ニ依リ正當ト認メラレテ正式ニ檢印セラレタル後其ノ事業ノ實行ノ爲必要ナルヘキ適當ノ建物ノ建設ヲ爲スコトヲ得

第十五條 司法制度ノ改革 治外法權ノ撤廢

支那國政府ハ其ノ司法制度ヲ改革シ以テ泰西諸國ノ司法制度ト一致セシメントスルノ要望ヲ表明シタルトコロ合衆國ハ右ノ改革ニ一切ノ援助ヲ與フコトニ同意シ且又支那國法制狀態、其ノ執行組織及其ノ他ノ事項カ治外法權ノ撤廢ヲ現實ニ充分保障スル場合ニハ右治外法權ヲ撤廢スルノ覺悟アルモノトス

第十六條 「モルヒネ」輸入禁止

合衆國政府ハ支那國政府カ「モルヒネ」及其ノ注射器ノ支那國ヘノ輸入ヲ禁止スルコトニ同意ス但シ醫療ノ目的ノ爲關稅ヲ支拂ヒ且輸入ヲ右ノ目的ノ限度ニ有效ニ制限スヘキ支那國制定ノ取締規則ニ從ヒテ輸入セラ

ルル「モルヒネ」及其ノ注射器ハ之ヲ除クモノトス右ノ禁止ハ一切ノ國ヨリノ該輸入ニ一樣ニ適用セラルモノトス支那國政府ハ支那國ニ於ケル「モルヒネ」及其ノ注射器ノ製造ヲ禁遏スヘキ措置ヲ直ニ採用スルコトヲ約ス

第十七條 本條約所定ノ修正事項以外諸條約ノ效力存續

締約國ハ合衆國及支那國間ノ諸條約ノ一切ノ條項ニシテ西曆千九百年一月一日ニ於テ有效ナリシモノハ本條約又ハ合衆國カ一方ノ當事者タル其ノ他ノ諸條約ニ依リ修正セラルル限度ヲ除キ完全ニ其ノ效力ヲ存續スルモノトス、本條約ハ批准交換ノ日ヨリ起算シテ十年間及以下所定ノ通り修正ノ行ハルル迄ハ其ノ效力ヲ存續スルモノトス

修正

且又一方ノ締約國ハ本條約所定ノ關稅率及條項ハ本條約批准交換ノ日ヨリ起算シテ十年ノ終ニ於テ修正セラルヘキヲ要求スルコトヲ得ルモノトス 第一期ノ十年ノ終了前ニ修正ノ要求ナキ場合ニハ右條項ハ本條約所定ノ形式ノ儘第一期終了ノ日ヨリ起算シテ更ニ十年間及以下同様ニ逐次

十年間完全ニ效力ヲ存續スルモノトス

公文用語

本條約及其ノ三個ノ附屬書ノ英吉利語及支那語ノ原文ハ鄭重ナル比較ヲ經タルモ其ノ間何等カ意義ノ相違アル場合ニハ英吉利文ノ意義ヲ以テ正當ナルモノトス

本條約及其ノ三個ノ附屬書ハ締約國ニ依リ各目國ノ憲法ニ從ヒテ批准セラルヘク且批准交換ハ本條約日附ヨリ十二月以内ニ華盛頓ニ於テ之ヲ行フモノトス

右證據トシテ下各ハ各自ノ全權ニ依リ英吉利語及支那語ノ本條約二通ニ署名調印ス

西曆千九百三年十月八日 光緒二十九年八月十八日 上海ニ於テ作成ス

エドウィン、エイチ、コンデヤー 印

ジオン、グードノー 印

ジオン、エフ、シーマン 印

呂海 寶 印

盛宣 懷 印

(以下省略) 關稅率表

第一附屬書

合衆國人民ハ既ニ條約ニ依リ阿片ノ取引若ハ取扱ヲ禁止セラレタカ故ニ
本條約ニ於テハ阿片ニ對スル課税ニ付何等言及セス
鹽ノ取引ハ支那國ニ於ケル政府專賣ナルカ故ニ本條約ニ於テハ鹽ニ對ス
ル課税ニ付何等言及セス

尤モ充分ナル討議及考究ノ結果阿片及鹽ニ對スル内國税ノ徵收並右内國
稅收入ヲ保護シ及右貨物ノ不正取引ヲ豫防スルノ手段ハ他ノ貨物ノ無害
通過ニ關スル本條約第四條ノ規定ニ何等牴觸セサルヘキ方法ニ依リ支那
國政府專ラ之ヲ監理スルモノナリト認メラレタリ

エドウィン、エイチ、コンヂヤー

印

ジオン、グードノー

印

ジオン、エフ、シーマン

印

呂海豪

印

盛宣懷

印

第二附屬書

本日附ノ合衆國及支那國間ノ通商條約第四條ハ開港場ニ於ケル内國稅關存置ノ件ヲ規定ス右開港場ニ於ケル支那國ノ收入ヲ保護スル爲ニ支那國政府ハ各開港場ニ於テ當該港所在ノ主タル内國稅關ヨリ相當ノ距離以内ニ帝國海關官憲カ當該港ノ輸出入貿易ヨリ生スル收入ヲ徵收スル爲必要ト認ムル派出内國稅關ヲ設置且維持スルノ權利ヲ有スルモノトス各開港場ニ於ケル右派出内國稅關及主タル内國稅關ハ千九百一年ノ改正書ニ規定セラレタル帝國海關之ヲ管轄スルモノトス

盛	呂				
宣	海				
懷	峯				
		印	印	印	印

第三附屬書

本條約第五條ニ規定セラレタル本條約附屬ノ輸入貨物關稅率表ハ西曆千

九百二年九月七日ノ議定書ニ從ヒ支那國及合衆國ノ代表者間ニ協定セラ
レ且合衆國ヲ代表スル「ジョン、グードノー」及支那國ヲ代表スル呂海
豪及盛宣懷兩閣下ニ依リ調印セラレタル關稅率表ナルコトヲ茲ニ相互ニ
聲明ス

エドウィン、エイチ、コンデヤー

印

ジョン、グードノー

印

ジョン、エフ、シーマン

印

呂海豪

印

盛宣懷

印

C E R T I F I C A T E

Statement of source and authenticity

I, K. Y. SHI, Kaoru, Chief of the Archives Section, Japanese Foreign Office, hereby certify that the document hereto attached in Japanese consisting of 24 pages and entitled "Treaty for the Extension of the Commercial Relations between United States and China, October 8, 1903" is an exact and true copy of an official translation of the Japanese Foreign Office.

Certified at Tokyo,
on this 17th day of January, 1947.

K. Y. Shi
Signature of Official

Witness: Nagaharu Odo